

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 87-10048

Priority: October 16, 2006

Maximum Diversion Volume: 5.0 AF

This is to certify, that SEAN WILSON And/Or
SUSAN WILSON
2780 N MOUNTAINVIEW RD
MOSCOW ID 83843

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: PARADISE CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
FIRE PROTECTION STORAGE	01/01 to 12/31	5.0 AF
RECREATION STORAGE	01/01 to 12/31	5.0 AF

LOCATION OF POINT OF DIVERSION:

SPRING SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, Twp 40N, Rge 05W, B.M. LATAH County

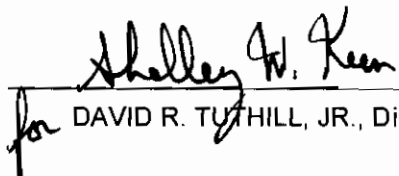
PLACE OF USE: RECREATION STORAGE, FIRE PROTECTION STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
40N 05W 33														X			

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2012**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Recreation storage use is for fishing.
5. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
6. Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of May, 2007.


for DAVID R. TUTHILL, JR., Director

RECEIVED
OCT 16 2006
IDWR/North

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Sean and Susan Wilson Phone 208-882-8170
Mailing address 2780 N. Mountainview Rd, Moscow, Id 83843
2. Source of water supply Spring and runoff/Well which is a tributary of Paradise Creek
3. Location of point of diversion is Township 40 N Range 5 W Sec. 33 in the SW 1/4,
NW 1/4, SE 1/4, Govt. Lot _____, B.M., Latah County;

additional points of diversion if any: Depression in the earth's surface

4. Water will be used for the following purposes:
Amount 2.5 acre feet for fire protection purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1 cfs for Residential use purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) _____ and/or (b) 5 Per s.w
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Depression in the earth's surface

b. Height of storage dam 0 feet; active reservoir capacity 2.5 Per s.w. acre-feet; total reservoir capacity 2.5 Per s.w. acre-feet

c. Proposed well diameter is 5 Per s.w. inches; proposed depth of well is 2.5 Per s.w. feet

d. Is ground water with a temperature of greater than 85°F being sought? Per s.w.

e. If well is already drilled, when? 11/1/05; Drilling firm _____

Well was drilled for (well owner) James Wallace Per. s.w.; Drilling Permit No. 747707

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 2 households are served by the well

e. Other; describe fully. The pond is for fire protection, and wildlife habitat
the pond is fed by a spring and by runoff

Per s.w.
with Sean

5.4 Per T.C. with
Sean

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

[illegible]

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Sean Wilson, Susan Wilson
 b. Who owns the land to be irrigated or place of use? Sean Wilson, Susan Wilson
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

12. Remarks: The well is a separate domestic use water supply and does not supply the pond. The pond is fed by a spring underneath it and is supplemented by runoff.

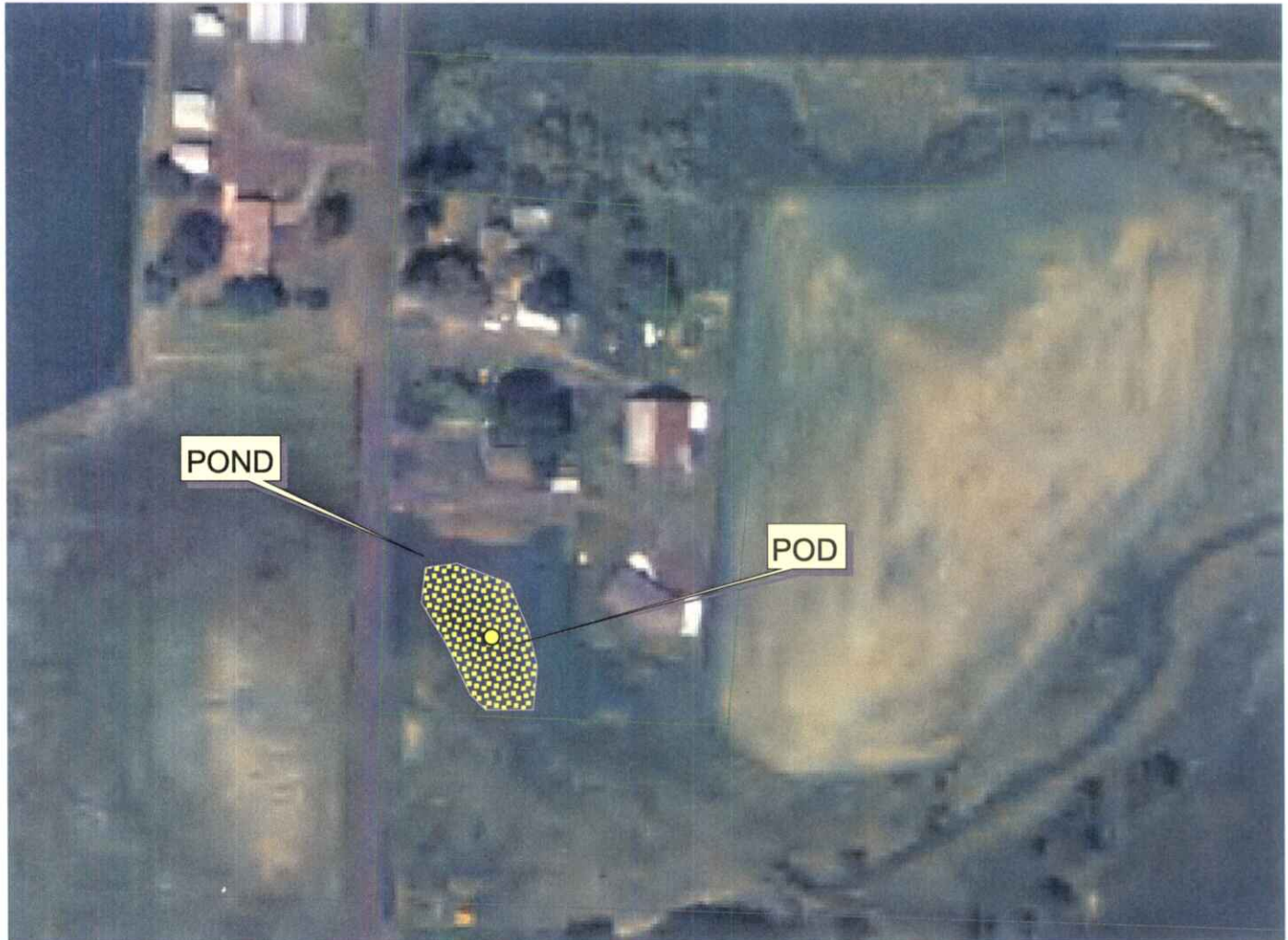
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Signature of Applicant (and title, if applicable)

Received by ✓ Date 10/16/06 Time 1:20p Preliminary check by _____
 Fee \$ 100.00 Received by ✓ # N017938 Date 10/16/06
 Publication prepared by ✓ Date 1/9/07 Published in Mesa County Daily News 1/18/25/07
 Publication approved ✓ Date 2/7/07

87-10048

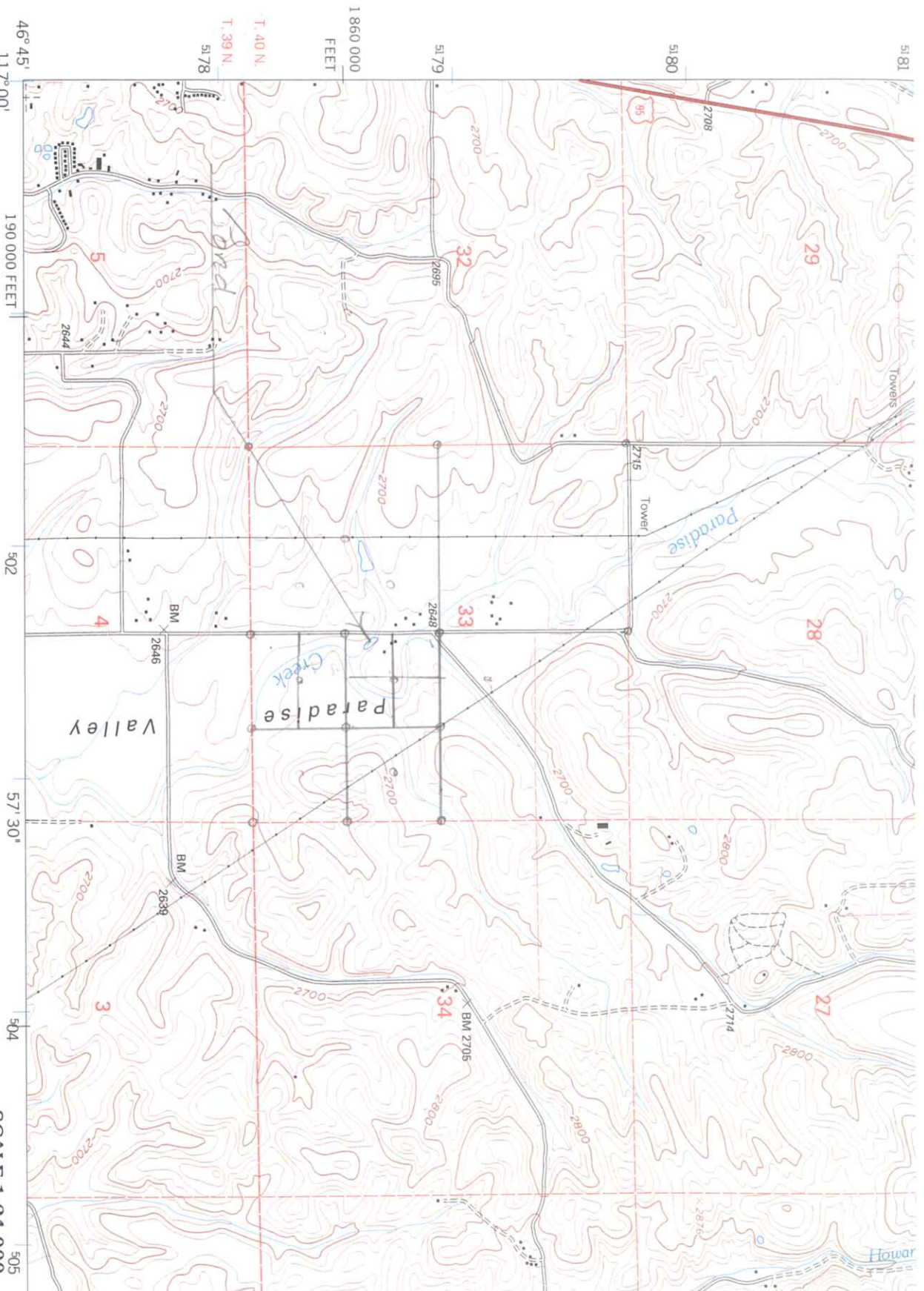


0.06 0 0.06 0.12 Miles

-  Latah taxlots
-  GCDB40N05W GCDB
-  GCDB39N05W GCDB
-  Foster.shp
-  Application POD
-  Application POU
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp







Produced by the U.S. Geological Survey
Revised by the U.S. Forest Service

Areas outside the National Forest System lands may not have been revised
Control by USGS and NOS/NOAA

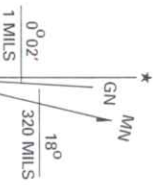
Compiled from aerial photographs taken 1957. Revised from aerial
photographs taken 1990. Partial field check by U.S. Forest Service 1994

North American Datum of 1927 (NAD 27). Projection and 10 000-foot ticks:
Idaho coordinate system, west zone (Lambert conformal conic)

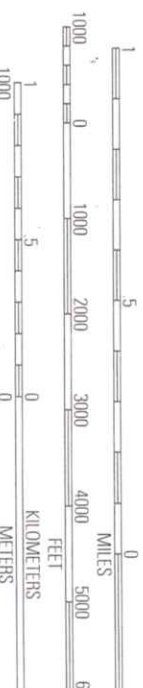
Blue 1000-meter Universal Transverse Mercator ticks, zone 11

North American Datum of 1983 (NAD 83) is shown by dashed corner ticks

The values of the shift between NAD 27 and NAD 83 for 7.5-minute
intersections are obtainable from National Geodetic Survey NADCON software



UTM GRID AND 1994 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



NATIONAL GEODETIC VERTICAL DATUM
TO CONVERT FEET TO METERS MULTIPLY

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

May 30, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

SEAN WILSON
SUSAN WILSON
2780 N MOUNTAINVIEW RD
MOSCOW ID 83843

RE: Permit No. 87-10048

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4947.

Sincerely,

Shelley W. Keen
for Shelley W. Keen, Section Manager
Water Right Permits Section

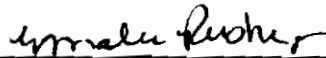
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2007 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the persons listed below:

RE: WATER RIGHT NO. 87-10048

**SEAN WILSON
SUSAN WILSON
2780 N MOUNTAINVIEW RD
MOSCOW ID 83843**



**Emalee Rushing
Technical Records Specialist**

Statement of Available Procedures and Applicable Time Limits

RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs; requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: May 22, 2007
To: Water Right File 87-10048
From: eretelle
Re: permit review

No WD or moratorium

No protests - F&G concerns resolved. No use of well water to top off pond.
No overlaps

Recommend approval as suggested by IDWR Northern



Also no
"wildlife storage" use

Retelle, Erin

From: Franklin, Keith
Sent: Tuesday, May 22, 2007 12:48 PM
To: Retelle, Erin
Subject: RE: 87-10048

Erin,

There is no issue regarding the well. The Wilsons are not going to use their domestic well to top off this pond or supply water to it in any way.

Keith.

-----Original Message-----

From: Retelle, Erin
Sent: Tuesday, May 22, 2007 10:56 AM
To: Franklin, Keith
Subject: 87-10048

Keith,

I got the copy of the e-mail from F&G saying they no longer have any issues. It says that they cleared everything up re: using a well to top off the pond. Do you know, does this mean they are NOT going to use a well? Or does it mean they ARE going to use a well. If they are, I need to know where it is since it is not indicated on the application map.

Thanks,
Erin

Erin Retelle
Senior Water Resource Agent

phone: (208) 287-4949
fax: (208) 287-6700

RECEIVED

MAY 17 2007

DEPARTMENT OF
WATER RESOURCES**Franklin, Keith**

From: Hennekey,Ray [rhennekey@idfg.idaho.gov]
Sent: Thursday, May 17, 2007 4:43 PM
To: Franklin, Keith
Cc: Cadwallader,Dave
Subject: Wilson water right application

Keith –

Per our discussion today regarding the Wilson water right application (#87-10048): In a telephone conversation February 12, Sean Wilson resolved to our satisfaction questions we had regarding the use of a well as an additional source of water. Other issues remain unresolved. As we stated in our comment letter of January 29, 2007, we believed wetlands had been excavated to create the pond. Since that was not in our jurisdiction, we referred that issue to the COE; wetlands fall within their jurisdiction. To date, we have had no formal response from the Corps; we do not anticipate any further action on that issue. As we did in our comment letter, we contend that the pond created by the Wilsons is very unlikely to have any wildlife value and water for wildlife should not be identified as a beneficial use. However, since the pond has already been constructed, IDFG does not object to the water appropriation as requested. Please give me a call if you have any questions.

Ray Hennekey
Environmental Staff Biologist
Clearwater Region

5/18/2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

May 9, 2007

Sean Wilson
2780 N. Mountain View Rd.
Moscow, ID 83843

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho,
Number 87-10048.

Dear Mr. Wilson:

On February 9, 2007, I forwarded a letter to you from the Idaho Department of Fish & Game, expressing concerns over your application to obtain a water right. In the letter, I suggested you contact Ray Hennekey who, is on Fish & Games Environmental Staff located in Lewiston, to discuss their concerns.

Have you met with Mr. Hennekey? If not, are you still interested in pursuing a water right? Please let me know within the next 30 days.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 9, 2007

Sean Wilson
2780 N. Mountain View Rd.
Moscow, ID 83843

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho.

Dear Mr. Wilson:

On February 8, 2007, the Idaho Department of Water Resources (IDWR) received a letter from the Idaho Fish & Game Department, dated January 29, 2007, opposing the approval of your application. I have enclosed a copy for your reference.

IDWR has placed a hold on your application until the concerns of Fish & Game have been addressed. IDWR suggests you contact Ray Hennekey, Region 2 Environmental Staff Biologist and arrange for a meeting to discuss their concerns. Mr. Hennekey can be reached in his Lewiston office at 208-799-5010.

Please keep the department informed on the progress and any agreements reached with Fish & Game. If you have any questions, don't hesitate to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Enclosure
Cc: Ray Hennekey, IDFG at Lewiston

C O P Y



RECEIVED
FEB 08 2007
IDWR/North

IDAHO DEPARTMENT OF FISH AND GAME
CLEARWATER REGION
3316 16th Street
Lewiston, Idaho 83501

James E. Risch/Governor
Steven M. Huffaker/Director

January 29, 2007

Mr. Robert Haynes
Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd, S 210
Coeur d'Alene, ID 83814

Dear Mr. Haynes:

REFERENCE: ¹⁰⁰⁴⁸ #87-~~1004~~ WILSON WATER RIGHT APPLICATION

Sean and Susan Wilson have requested a permit for 5 acre-feet of water for recreation, wildlife, and fire protection from a pond that is tributary to Paradise Creek in Latah County. We have some concerns and questions regarding this application.

Our primary concerns are a result of a windshield assessment we made of the site on January 4, 2007. These include that the pond has already been created without proper permitting, making this an after-the-fact application, and that it is very likely that wetlands were excavated to create the pond.

There is already a pond on the site. Although the pond lies in a natural depression as the applicant has indicated, it is not clear whether a pond previously existed at that site. However, it is readily apparent that materials have recently been excavated to either create a new pond or to enlarge or otherwise alter a pre-existing pond at the site. Since the applicant has indicated that the pond would be fed by a spring "underneath (the pond)," we can surmise that a spring and an area around the spring were excavated to create a new pond. Furthermore, plant materials (mostly *Typha*) evident in the excavated materials mounded at the site lead us to conclude that the excavation may have involved dredging and fill of wetlands, a potential violation of federal regulations.

One of the requested uses of the water is for wildlife. It is very unlikely that the subject pond will have any wildlife value, since the applicant's lawn runs along the entirety of one bank, a driveway contains one end of the pond, and the western edge of the pond is only yards from Mountainview Road. It is our opinion that destruction of the spring and, obviously, associated wetlands that were excavated to create the pond probably destroyed more valuable wildlife habitat than the pond will ever afford. There is ample evidence in the literature that springs and seeps, and their associated wetlands, support more taxonomically rich communities of organisms and have higher functional values than do ponds.

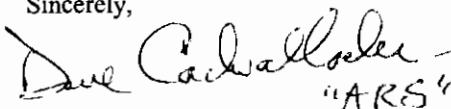
We oppose approval of this water right application at this time. We intend to ask the Army Corps of Engineers to investigate potential violations of wetland regulations at this site. We ask that you delay any decisions on this water right application until the COE has responded to our request and our concerns about potential wetland impacts have been resolved and any appropriate mitigations for identified impacts have been made.

Finally, we would also like to point out that the source of the water supply for the pond is not entirely clear from the application. Application item 2 states that the source water will be from a spring, from surface runoff, and from a well. However, application items #8e and #12 state that the pond is a natural depression that will be fed by a spring "underneath it" and by surface runoff. It's obvious from the site visit that the pond is in a depression that would be fed by runoff and, based on existing wetland obligate plants, we can accept that a spring existed on site. However, the need for additional supply from a well was not established, nor was the location of the proposed well clear. The facsimile diagram of the site we received was very difficult to read; however, it indicates a point of diversion some distance from the pond. We speculate this point of diversion on the attachment is the well referred to in Application line 2. Is that correct, and has this well already been permitted for this use?

Please contact Ray Hennekey, Region 2 Environmental Staff Biologist, if you have any questions regarding this matter.

Thank you for the opportunity to comment.

Sincerely,


for Cal Groen
Clearwater Regional Supervisor

CG/rh/ss

c: Tracey Trent
Duane Mitchell, COE, Walla Walla

Retelle, Erin

From: Franklin, Keith
Sent: Friday, February 09, 2007 9:36 AM
To: Retelle, Erin
Subject: Water Right Application 87-10048

Follow Up Flag: Follow up
Due By: Monday, February 12, 2007 5:00 PM
Flag Status: Flagged

Good Morning Erin,

The Northern Region sent you permit application 87-10048, that has been processed and is ready for issuance of a permit. After we sent you the file, the Idaho Fish & Game Department sent us a letter requesting a hold be placed on the application until a problem can be worked out between them, the Corp of Engineers and the applicant. Would you please place a hold on the application and also scan the original application form and e-mail me a copy, so we can have something to work with.

Thanks.

Keith.

NEWS REVIEW PUBLISHING COMPANY

The Moscow-Pullman Daily News
P.O.Box 374
Lewiston, Idaho 83501
(208) 743-9411

Date 01/25/2007INVOICE NO. 449579Account No. 30010311Description 449579 Water applicTimes 2Lines 1**LEGAL ADVERTISING
INVOICE**

SOLD TO: IDAHO DEPT/ WATER RESOURCES
1910 NORTHWEST BLVD #210
COEUR D'ALENE ID 83814

RECEIVED

Tab. Lines _____

FEB 07 2007\$ 50.82

IDWR/North

PO# _____

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

449579 87-10050
GARY J PRESOL
BOX 585

LEGAL NOTICE

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
87-10048

SEAN WILSON
SUSAN WILSON
2780 N MOUNTAINVIEW RD
MOSCOW ID 83843
Point(s) of Diversion SWNWSE
S33 T40N R05W LATAH County
Source SPRING Tributary To
PARADISE CREEK

Use: WILDLIFE STORAGE
01/01 To 12/31 5 AFA
Use: RECREATION STORAGE
01/01 To 12/31 5 AFA
Use: FIRE PROTECTION STORAGE
01/01 To 12/31 5 AFA

Total Diversion: 5 AFA
Date filed: 10/16/2006
Place Of Use: FIRE PROTECTION STORAGE
T40N R05W S33 NWSE

Place Of Use: WILDLIFE STORAGE
& RECREATION STORAGE
Location same as FIRE PROTECTION STORAGE

Remark: Recreation storage use is
for fishing.

STERLING AK 99672
Point(s) of Diversion SWSW S22
T40N R05W LATAH County
Source GROUND WATER
Use: DOMESTIC
01/01 To 12/31 0.01 CFS
Total Diversion: 0.01 CFS
Date Filed: 12/11/2006
Place Of Use: DOMESTIC
T40N R05W S22 SWSW
Remark: Domestic use is for 1
home.

Permits will be subject to all prior
water rights. Protests may be
submitted based on the criteria of
Sec 42-203A, Idaho Code.

Any protest against the approval
of this application must be filed
with the Director, Dept. of Water
Resource, Northern Region, 7600
Mineral Drive, Suite 100, Coeur
D'Alene ID 83816 together with a
protest fee of \$25.00 for each application
on or before 02/05/2007.
The protestant must also send a
copy of the protest to the applicant.

DAVID R TUTHILL, JR.,
Interim Director
January 18, 25, 2007

Rachel McLean, Legal Clerk
being first duly sworn, on oath deposes
and says: That she is the printer of
Moscow-Pullman Daily News, a newspaper
of general circulation, printed and published
daily except Sunday at Moscow, Latah County,
Idaho, in compliance with Sections 60-106,
60-107, and 60-108 of the Idaho Code and the
amendments thereto: that the notice of which the
annexed is a full, true and correct printed
copy was published in the regular and entire
issues of said newspaper and not in a
supplement thereto, upon the following dates:

Jan. 18, 25 2007

the same being the date designated for
the publication of said notice.

Rachel McLean

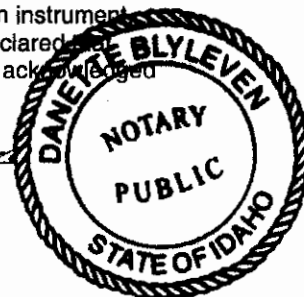
State of Idaho

S.S.

County of Latah

On this 25th day of January
in the year of 2006, before me, a Notary Public,
personally appeared Rachel McLean,
known or identified to me to be the person
whose name subscribed to the within instrument
and being by me first duly sworn, declared that
the statements therein are true, and acknowledged
to me that he executed the same.

Notary Public for Idaho
Residing at Moscow, Idaho
My Commission Expires 08/02/10



Sharon, this is an alternative layout.

You might check with Karen to see how she does the formatting on our legals.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

87-10048

SEAN WILSON

SUSAN WILSON

2780 N MOUNTAINVIEW RD

MOSCOW ID 83843

Point(s) of Diversion SWNWSE S33

T40N R05W LATAH County

Source SPRING - Tributary To

PARADISE CREEK

Use: WILDLIFE STORAGE

01/01 To 12/31 5 AFA

Use: RECREATION STORAGE

01/01 To 12/31 5 AFA

Use: FIRE PROTECTION STORAGE

01/01 To 12/31 5 AFA

Total Diversion: 5 AFA

Date Filed: 10/16/2006

Place Of Use: - FIRE PROTECTION STORAGE

T40N R05W S33 NWSE

Place Of Use: WILDLIFE STORAGE & RECREATION STORAGE

Same as FIRE PROTECTION STORAGE

Remark: Recreation storage use is for fishing.

87-10050

GARY J PRESOL

BOX 585

STERLING AK 99672

Point(s) of Diversion SWSW S22

T40N R05W LATAH County

Source GROUND WATER

Use: DOMESTIC

01/01 To 12/31 0.01 CFS

Total Diversion: 0.01 CFS

Date Filed: 12/11/2006

Place Of Use: DOMESTIC

T40N R05W S22 SWSW

Remark: Domestic use is for 1 home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 02/05/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R TUTHILL, JR., Interim Director

Published Jan. 18 & 25, 2007

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

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SUSAN WILSON

2780 N MOUNTAINVIEW RD

MOSCOW ID 83843

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Source SPRING Tributary To PARADISE CREEK

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Use: RECREATION STORAGE 01/01 To 12/31 5 AFA

Use: FIRE PROTECTION STORAGE 01/01 To 12/31 5 AFA

Total Diversion: 5 AFA

Date Filed: 10/16/2006

Place Of Use: FIRE PROTECTION STORAGE

T40N R05W S33 NWSE

Place Of Use: WILDLIFE STORAGE & RECREATION STORAGE

Location same as FIRE PROTECTION STORAGE

Remark: Recreation storage use is for fishing.

87-10050

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DAVID R TUTHILL, JR., Interim Director Published Jan. 18 & 25, 2007

DEPARTMENT OF WATER RESOURCES
7600 MINERAL DRIVE, SUITE 100
COEUR D'ALENE ID 83814
Phone 208-762-2800 - FAX - 208-762-2819

January 09, 2007

SHARON FLODIN
LEGAL NOTICE DEPARTMENT
MOSCOW-PULLMAN DAILY NEWS
PO BOX 8187
MOSCOW ID 83843-8187

e-mailed to legals@dnews.com
and FAXED as a follow-up
to 208-746-2596

RE: Application for Permit No. 87-10048 and 87-10050

Please FAX proof copy before this goes to press, to 762-2819
Thanks, Dianne

Dear Sharon:

Embodied within this e-mail letter you will find a legal notice which we wish to have published in your newspaper on the dates indicated, January 18 and 25, 2007, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 02/05/2007. Your cooperation is GREATLY appreciated, as always.

Thank you very much for all your good work,

Sincerely

Dianne

Dianne Ball
Administrative Assistant

DEPARTMENT OF WATER RESOURCES
7600 MINERAL DRIVE, SUITE 100
COEUR D'ALENE ID 83814
Phone 208-762-2800 - FAX - 208-762-2819

January 09, 2007

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An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 02/05/2007. Your cooperation is GREATLY appreciated, as always.

Thank you very much for all your good work,

Sincerely

Dianne

Dianne Ball
Administrative Assistant

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

87-10048

SEAN WILSON
SUSAN WILSON
2780 N MOUNTAINVIEW RD
MOSCOW ID 83843

Point(s) of Diversion SWNWSE S33 T40N R05W LATAH County

Source SPRING Tributary To PARADISE CREEK

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Use: RECREATION STORAGE 01/01 To 12/31 5 AFA

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Total Diversion: 5 AFA

Date Filed: 10/16/2006

Place Of Use: FIRE PROTECTION STORAGE

T40N R05W S33 NWSE

Place Of Use: WILDLIFE STORAGE & RECREATION STORAGE

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87-10050

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Total Diversion: 0.01 CFS

Date Filed: 12/11/2006

Place Of Use: DOMESTIC

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Remark: Domestic use is for 1 home.

Continued on next page - - -

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DAVID R TUTHILL, JR., Interim Director Published Jan. 18 & 25, 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 09, 2007

SEAN WILSON
SUSAN WILSON
2780 N MOUNTAINVIEW RD
MOSCOW ID 83843

RE: Application for Permit No 87-10048

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Moscow Pullman Daily News on January 18 and 25, 2007. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Keith E. Franklin
Senior Water Resource Agent

Enclosure(s) – Receipt No. N017938



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 3, 2007

RAY HENNEKEY
IDAHO DEPARTMENT OF FISH & GAME
3316 16TH STREET

FAXED TO RAY 1/3/07
6 pages total

Application to Permit No. 87-10048

Dear Ray:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office within two weeks of date of this letter.

This application is for a spring beneath a pond. The pond is fed by the spring underneath it and supplemented by runoff. It is tributary to Paradise Creek.

Please feel free to contact this office if you have any questions regarding the application.

If you have comments, we would appreciate receiving them by no later than **February 2, 2007**. You may send comments by regular mail to the address above, by FAX to (208) 762-2819, or by e-mail to dianne.ball@idwr.idaho.gov or to keith.franklin@idwr.idaho.gov.

Sincerely,

Dianne Ball
Administrative Assistant

Enclosure(s)

State of Idaho
Department of Water Resources
Application for Permit
RECOMMENDATION FORM

Application for Permit No 87-10048
Applicant's Name: Sean & Susan Wilson
 2780 N Mountainview Rd
 Moscow ID 83843
 (208) 882-8170

Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
-
-
- c) ☐ I oppose approval of this application for the following reasons:
-
-
- d) ☐ Additional Comment:

Dated this _____ day of _____,

Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 22, 2006

Sean and Susan Wilson
2780 N Mountainview Rd.
Moscow, Idaho 83843

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho.

Dear Mr. and Mrs. Wilson:

The Idaho Department of Water Resources (IDWR) is in receipt of your application, and before we can go any further, I need to talk to you about certain elements you have so indicted. If you would give me a call at your earliest convenience it would be appreciated. Our number is 208-762-2800.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

C O P Y